

## **REMARKS/ARGUMENTS**

### **35 USC § 112, second paragraph**

**Claims 1, 3-7, and 9-13** were rejected under 35 USC § 112, 2<sup>nd</sup> as being indefinite for use of several terms. The applicant agrees and amended the claims. More specifically, and with respect to:

Claims 1 and 7, it is now clarified that the pH of the reaction system is maintained at pH2 or lower using HCl. Furthermore, the objected term "comparatively large size" has been deleted.

Claims 6 and 12, antecedent basis is provided. It should now be clear that the aqueous calcium chloride solution is used in the process of the specified claims.

Claim 10, it is noted that claim 10 is canceled and the rejection is therefore moot.

### **35 USC § 102**

**Claims 1, 3, 7, and 9** were rejected under 35 USC § 102(b) as being anticipated by JP 11-130427. The applicant respectfully disagrees. More specifically, amended claims 1 and 7, and dependent claims 3 and 9, respectively, require that the fluoride-containing effluent that has a pH 3 or higher, and that the pH of the reaction is maintained at pH2 or less. The so amended claims also expressly require selected temperature conditions to so arrive at the rather unusually large particle size. It should be readily apparent that such elements are neither taught nor suggested in the '427 reference. Consequently, the rejection of claims 1, 3, 7, and 9 as being anticipated by the '427 reference should be withdrawn.

### **35 USC § 103**

**Claims 1, 3-7, and 9-12** were rejected under 35 USC § 103 as being obvious over the JP 11-130427 reference in view of Johansing (U.S. Pat. No. 5,705,140) and optionally further view of the JP 51-110498 reference. Similarly, **claim 13** was rejected under 35 USC § 103 as being obvious over the JP 11-130427 reference in view of Johansing (U.S. Pat. No. 5,705,140) and optionally further view of the JP 51-110498 reference as applied above and in further view of Ohmi et al. (U.S. Pat. No. 5,362,461). The applicant again respectfully disagrees for various reasons.

Among other things, not all of the claim elements in the '427 reference are present, and the combination of the '427 reference with Johansing and optionally the '498 reference fail to remedy these defects. Therefore, the rejection of claims 1, 3-7, and 9-12, and claim 13 as being obvious over the cited art should be withdrawn.

In view of the present amendments and arguments, the applicant believes that all claims are now in condition for allowance. Therefore, the applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,  
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